

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 1, 2003**

No Minutes for May 1, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 2, 2003**

**E031076      Veronica Rice Scott v. Michael Chin**

**Opinion**

Judgment affirmed in part and dismissed in part.

McKinster, Acting P.J.

I concur: Ward, J.

I dissent: Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 5, 2003**

**E031378      People v. Kennard Hilliard**

**Opinion**

Judgment reversed with directions.

King, J.

We concur: Ramirez, P.J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 6, 2003**

Court convened at 9:00am

Panel 1

Present:

Ramirez, P.J.

Hollenhorst, J.

McKinster, J.

Madeline Mozee, Deputy Clerk

**E028722      People v. Michael Kelvin Arinwine**

**E032855      In re Michael Arinwine on Habeas Corpus**

Merits. Cause called and Peter Clarke, Esq., argued for appellant; Raquel M. Gonzales, Deputy Attorney General, argued for respondent. Cause submitted.

**E029105      People v. Lingaraj Bahinipaty**

Merits. Cause called and William D. Farber, Esq., argued for appellant; Elizabeth A. Hartwig, Deputy Attorney General, argued for respondent. Cause submitted.

**E031623      People v. Kami Machele Burgoyne**

Merits. Cause called and Jeffrey A. Needelman, Esq., argued for appellant; Erika Hiramatsu, Deputy Attorney General, argued for respondent. Cause submitted.

**E032006      In re Terence B., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Gretchen B.; Terence B.**

Merits. Cause called and Richard Pfeiffer, Esq., argued for appellant Gretchen B.; Konrad S. Lee, Esq., argued for appellant Terence B.; Donna L. Carlson, Deputy County Counsel, argued for respondent. Cause submitted.

**E031133      People v. Jerald Dwayne Cooley**

Merits. Cause called and Robert W. Gehring, Esq., argued for appellant; Charles C. Ragland, Deputy Attorney General, argued for respondent. Cause submitted.

**E032297      People v. Maurice Valenzuela**

Merits. Cause called and Edward J. Haggerty, Esq., argued for appellant; Deana L. Bohenek, Deputy Attorney General, argued for respondent. Cause submitted.

**E030506      Rosario Velasquez v. RE/MAX Big Bear et al.; David Regan et al.**

Merits. Cause called and Donovan Collier, Esq., argued for appellant Rosario Velasquez; Peter O. Israel, Esq., argued for appellants Dave Regan et al.; Steven J. Renick, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2

Present:

Richli, Acting P.J.

Ward, J.

King, J.

Elizabeth Ceballos, Deputy Clerk

**E031122      People v. Rafael Chavez et al.**

Merits. Cause called and Arash Hashemi, Esq., argued for appellant Rafael Chavez; Joseph A. Gutierrez, Esq., argued for appellant Jorge Chavez; Garrett Beaumont, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2a

Present:

Hollenhorst, Acting P.J.

McKinster, J.

Richli, J.

Elizabeth Ceballos, Deputy Clerk

**E029908      Michael Park v. Burlington Northern Santa Fe Railway Company**

Merits. Cause called and Roy G. Weatherup, Esq., argued for appellant; David J. Cooper, Esq., argued for respondent. Cause submitted.

**E031792      Vinod Patwardhan v. Vasant Kale**

Merits. Cause called and Roy G. Weatherup, Esq., argued for appellant; Respondent Vasant Kale argued in propria persona. Cause submitted.

**E030611      Sheble Aviation, Inc. et al. v. Pat Wolfe et al.**

Merits. Cause called and Daniel C. Payne, Esq., argued for appellants; Sergio A. Retamal, Esq., argued for respondents. Cause submitted.

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**E031847      In re the Marriage of Nancy R. and Marshall E. Scott  
Nancy R. Scott v. Marshall E. Scott**

Counsel having waived oral argument in the above entitled cause, the calendar date heretofore set is vacated and cause is submitted.

Court adjourned.

**E031662      People v. Jesus Romero et al.**

**Opinion**

Judgment affirmed as to Ricardo Magana; affirmed with directions as to Jesus Romero.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E032243      In re Carl Schwartz on Habeas Corpus**

**Opinion**

Petition granted in part and denied in part.

Gaut, Acting P.J.

We concur: Hollenhorst, J., McKinster, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 7, 2003**

Court convened at 9:00am

Panel 3

Present:

Ramirez, P.J.

Ward, J.

King, J.

P. D. Garcia, Deputy Clerk

**E032025 County of Riverside et al. v. Robert D. Steinberg; Jose Soto**

Merits. Cause called and Michael A. Morguess, Esq., argued for appellant; Shane D. Sullivan, Esq., argued for respondents. Cause submitted.

**E030908 Helga Carter v. California Dept. of Veterans' Affairs**

Merits. Cause called and John H. McCardle, Esq., argued for appellant; Terry K. Davis, Esq., argued for respondent. Cause submitted.

Court Adjourned.

**E032829 In re Malachi F., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Tureka J.**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.

**E031919 People v. Curtis Donnell Weaver Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Ward, J.

**E032694 People v. David Sacco Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 8, 2003**

**E032941      People v. David C. Wheeler**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E032731      People v. Louis Tyrone Brooks**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Ward, J.

**E032931      People v. Victor Del Rio**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E032319      People v. Gerardo O. Del Moral**

**Modification of**

**Opinion**

No change in judgment.

McKinster, J.

We concur: Ramirez, P.J., Gaut, J.

**E029105      People v. Lingaraj Bahinipaty**

**Opinion**

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., McKinster, J.

**E032860      In re Irene R. et al., Persons Coming Under the Juvenile Court Law  
Department of Children's Services v. Norma R.**

**Opinion**

Judgment affirmed.

King, J.

We concur: Hollenhorst, Acting P.J., Ward, J.



**E031623      People v. Kami Machele Burgoyne**

**Opinion**

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., McKinster, J.

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**E031104      Inland Empire Health Plan et al. v. Superior Court; Ann Marie Santana**

It is ordered that said opinion filed April 11, 2003, be certified for partial publication publishing the entire opinion with the exception of sections B, C and D of the Discussion.

Hollenhorst, Acting P.J.

I concur: Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 9, 2003**

**E032479      In re August E., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Clinton E.**

**Opinion**

Judgment affirmed.

Ward, J.

We concur: Hollenhorst, Acting P.J., King, J.

**E032112      In re C.C., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. B.C.; C.C.  
Petition for rehearing granted.**

**E029908      Michael Park v. Burlington Northern Santa Fe  
Railway Company**

**Opinion**

Judgment reversed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

**E031571      People v. Patricia Ann Fraus**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.

**E032413      People v. John Manuel Gonzales**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 12, 2003**

**E032528      People v. Sourattana Joe Keungmanivong**

**Opinion**

Judgment affirmed.

**E032625      In re Sourattana Joe Keungmanivong on Habeas Corpus**

Petition denied.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.

**E031694      Patricia J. Braham v. San Bernardino County Superintendent of  
Schools et al.**

Petition for rehearing denied.

**E031549      People v. Leo Bernard Thomas**

**Opinion**

Judgment affirmed and remanded for resentencing.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 13, 2003**

**E032533      In re Adan C., a Person Coming Under the Juvenile Court Law.  
People v. Adan C.**

**Opinion**

Judgment affirmed with directions.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E031785      People v. Larry Charles Barnes**

**Opinion**

Judgment affirmed as modified.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E031122      People v. Rafael Castro Chavez et al.**

**Opinion**

Judgment affirmed.

Richli, Acting P.J.

We concur: Ward, J., King, J.

**E030348      People v. Terrell Leon Bilbrew**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E032038      People v. Michael Eugene Kuhn**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E031244      People v. Connie Lee Scales**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032006      In re Terence B., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Gretchen B.; Terence B.**

**Opinion**

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., McKinster, J.

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**E032025      County of Riverside et al. v. Robert D. Steinberg; Jose Soto**

**Opinion**

Judgment reversed.

Ramirez, P.J.

We concur: Ward, J., King, J.

**E033161      In re Derick R., A Person Coming Under the Juvenile Court Law.  
People v. Derick R.**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E032841      In re Mathew V., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Rufus V.**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

**E032241      People v. Roy Lee Lesner**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E030728      Patricia D. Wangler v. Chaffey Community College District**

**Opinion**

Judgment affirmed with directions.

Ward, J.

We concur: Ramirez, P.J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 14, 2003**

**E030240      People v. Theresa DeJesus Barroso et al.      Modification of**

**Opinion**

Change in judgment.

Petition for rehearing denied.

Ward, J.

We concur: McKinster, Acting P.J., Richli, J.

**E032297      People v. Maurice Valenzuela**

**Opinion**

Judgment affirmed and remanded.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E031823      People v. Alfred Pena Soriano**

**Opinion**

Judgment affirmed in part, reversed in part with directions on remand.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.

**E031847      In re the Marriage of Nancy R. and Marshall E. Scott.  
Nancy R. Scott v. Marshall E. Scott**

**Opinion**

Judgment reversed in part and affirmed in part.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E030611      Sheble Aviation, Inc. et al. v. Pat Wolfe et al.**

**Opinion**

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E028592      Rita Evans et al. v. Select Products Company; Department  
of Health Services      Modification of**

**Opinion**

No change in judgment.

It is ordered that said opinion filed April 18, 2003, be certified for publication pursuant to California Rules of Court, rule 976.

Gaut, J.,

We concur: McKinster, Acting P.J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 15, 2003**

**E032537      In re Justin M., a Person Coming Under the Juvenile Court Law.  
People v. Justin M.**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.

**E030407      Jon M. Gunderson et al. v. Gary Bailey**

**Opinion**

Judgment reversed with directions.

Ward, J.

We concur: Ramirez, P.J., McKinster, J.

**E031524      People v. Jorge Eduardo Martinez**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 16, 2003**

**E031458      People v. Bobby Lee Erickson**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E032518      In re N.M., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. R.M. et al.; N.M.**

**Opinion**

Judgment reversed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E033029      People v. Reggie Brown**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E031142      People v. Thomas Paul Drake**

**Opinion**

Judgment reversed.

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

**E031133      People v. Jerald Dwayne Cooley**

**Opinion**

Judgment affirmed as modified.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E031792      Vinod Patwardhan v. Vasant Kale**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 19, 2003**

**E032621      In re D.S. et al., Persons Coming Under the Juvenile Court Law  
Department of Public Social Services v. Kimberly S.**

**Opinion**

Judgment affirmed.

Richli, Acting P.J.

We concur: Ward, J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 20, 2003**

**E030725      People v. Shawn Daryl Helmuth**  
Petition for rehearing denied.

**E028722      People v. Michael Kelvin Arinwine**  
**Opinion**  
Judgment affirmed.

**E032855\*      In re Arinwine on Habeas Corpus**  
Petition denied.  
Ramirez, P.J.  
We concur: Hollenhorst, J., McKinster, J.  
\*Considered with the appeal.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 21, 2003**

**E030506      Rosario Velasquez v. RE/MAX Big Bear et al.;  
David Regan et al.**

**Opinion**

Judgment reversed with directions.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E032057      People v. James Roy Catron**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.

**E031537      People v. Marilou Retta Heath**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California  
Minutes  
May 22, 2003**

The Court of Appeal, Fourth Appellate District, Division Two, met in special session

at 10:00a.m., at the Coachella Valley High School in Thermal, California.

The Honorable Presiding Justice Manuel A. Ramirez addresses those present and acknowledges The Honorable Douglas P. Miller, Presiding Judge for the Riverside Courts, Coachella Valley High School principal, Manuel Arredondo, Managing Attorney for the Court of Appeal, Donald Davio, Riverside Public Defender, Gary Windom and Assistant Public Defender, Jorge A. Alvarado.

Panel 1

Present:

Ramirez, P.J.

McKinster, J.

Gaut, J.

Madeline Mozee and Kelly Conn, Deputy Clerks

**E030882      People v. Javier T.**

Merits. Cause called and Christine Vento, Esq., argued for appellant; Elizabeth S. Voorhies, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 11:00a.m.

Panel 2

Present:

Richli, Acting P.J.

Ward, J.

Gaut, J.

Madeline Mozee and Kelly Conn, Deputy Clerks

**E032206      People v. Allen L. Wesley**

Merits. Cause called and Anita P. Jog, Esq., argued for appellant; Heather F. Wells, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00p.m.

Panel 3  
Present:  
Hollenhorst, Acting P.J.  
McKinster, J.  
King, J.  
Madeline Mozee and Kelly Conn, Deputy Clerks

**E030622      People v. Jim F. Crawford**

Merits. Cause called and John L. Dodd, Esq., argued for appellant; Kristine A. Gutierrez, Deputy Attorney General, argued for respondent. Cause submitted.

Court adjourned.

**E032883      In re Seth B., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Sheri W.**

**Opinion**

Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Richli, J., King, J.

**E031355      People v. Emilio Zarate Gonzalez**

**Opinion**

Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., King, J.

**E032539      People v. John Wesley Clark**

**Opinion**

Judgment affirmed as modified.  
Richli, J.  
We concur: Ramirez, P.J., King, J.

**E032905      People v. Jose Navarro Machuca**

**Opinion**

Judgment affirmed.  
Ramirez, P.J.  
We concur: Hollenhorst, J., Gaut, J.

**E033361      R.B. v. The Superior Court of the County of San Bernardino;**

**Department of Children's Services**

**Opinio**

**n**

Petition denied.

Richli, Acting P.J.

We concur: Gaut, J., King, J.

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**E032371      People v. Aurelio Avila Soriano**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E032893      People v. Richard Steven Cowles**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E033152      People v. Ronnie Alen Hendershot**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

**E031381      Lockheed Martin Corp. v. Superior Court; Karen Adams et al.**

It is ordered that the opinion filed April 30, 2003, be certified for publication pursuant to rule 976.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 23, 2003**

**E032168      People v. Richard Duwayne Wanless**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 26, 2003**

Holiday.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 27, 2003**

**E033396      Autumn O. v. Superior Court of the County of San Bernardino;  
Department of Children's Services**

**Opinio**

**n**

Petition denied.

McKinstler, J.

We concur: Ramirez, P.J., Ward, J.

**E029105      People v. Lingaraj Bahininpaty  
Petition for rehearing denied.**

**Order**

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 28, 2003**

**E031736      People v. Michael Singleton**

**Opinion**

Judgment affirmed with directions.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032840      In re Cody D., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Tim D.**

**Opinion**

Appeal dismissed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032619      People v. Lovoyne Lee Macon**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E031730      People v. Gregory Shane Westmoreland**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032578      Barratt American Incorporated v. City of Rancho Cucamonga**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032431      In re Mark L., a Person Coming Under the Juvenile Court Law.  
People v. Mark L.**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E031440      In re Andrew D., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Cathy C. et al.;  
Andrew D.**

**Opinion**

Appeal dismissed.

Hollenhorst, Acting P.J.

I concur: Gaut, J.

I dissent: McKinster, J.

**E033247      William L. v. Superior Court of San Bernardino County;  
Department of Children's Services**

Petition denied.

**Opinion**

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

**E031297      People v. Patrick Dwayne White**

**Opinion**

Judgment affirmed with directions.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E031387      People v. Elwood Stevanson Rich**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

CERTIFIED FOR PUBLICATION

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 29, 2003**

**E033231\*      People v. Durlene O. Westfall**

**E033415\*      People v. Jenny M. Okendo**

The appeals in case nos. E033231 and E033415 are consolidated for the purposes of one record , briefing, oral argument and decision. Case number E033231 is designated the master file.

**E031270      Department of Fair Employment and Housing v. California  
Department of Highway Patrol; Robert Burks**

**Opinio**

**n**

Judgment reversed.

McKinster, J.

We concur: Ramirez, P.J., Ward, J.

**E030751      People v. Anthony R. Rzepa**

**Opinion**

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

**E032537      In re Justin M., a Person Coming Under the Juvenile Court Law;  
People v. Justin M.**

Appellant's petition for rehearing is denied.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
May 30, 2003**

**E030301\*      David Murdock et al. v. Ventures Trident II et al.**

**Opinion**

**E031257\*      David Murdock et al. v. Ventures Trident II et al.**

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

\*Consolidated.

**E033339      Tracey S. v. Superior Court of the County of San Bernardino;  
Department of Children's Services**

**Opinion**

Petition denied.

Gaut, J.

We concur: McKinster, Acting P.J., Ward, J.

**E031402      People v. Kirk Jones**

**Opinion**

Judgment affirmed.

**E033150      In re Kirk Jones on Habeas Corpus**

Petition denied.

McKinster, Acting P.J.

We concur: Ward, J., Gaut, J.